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Attorney for Plaintiff  
Hao Xu

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**Hao Xu,**

Plaintiff,

v.

**Alberto Gonzales**, United States Attorney  
General, U.S. Department of Justice;  
**Michael Chertoff**, Secretary of the  
Department of Homeland Security;  
**Emilio T. Gonzalez**, Director of United States  
Citizenship and Immigration Services;

Defendants.

Case No. C07-3383 PVT

**PARTIES JOINT REQUEST TO BE  
EXEMPT FROM FORMAL ADR  
PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them. Here, the parties agree that referral to a formal ADR process

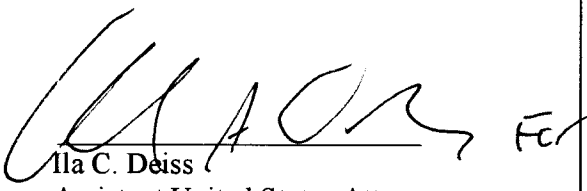
1 will not be beneficial because this mandamus action is limited to plaintiff's request that this  
2 Court compel defendants to adjudicate the application for adjustment of status. Given the  
3 substance of the action and the lack of any potential middle ground, ADR will only serve to  
4 multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR  
5 L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and  
6 that they be excused from participating in the ADR phone conference and any further formal  
7 ADR process.

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9 Respectfully Submitted,

10 Dated: September 11, 2007

\_\_\_\_\_/s/  
Justin G. Fok  
Attorney for Plaintiff

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14 Dated: Sept. 11, 2007

  
Ila C. Deiss  
Assistant United States Attorney  
Attorney for Defendants

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19 **ORDER**

20 Pursuant to stipulation, IT IS SO ORDERED.

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22 Date: 9/12/07

  
Patricia V. Trumbull  
United States Magistrate Judge